

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

XPOINT TECHNOLOGIES, INC.,

Plaintiff,

v.

MICROSOFT CORP., et al.,

Defendants.

Civil Action No. 09-CV-00628 (SLR)

STIPULATION AND ORDER FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED by Plaintiff and Defendants ASUSTeK Computer, Inc., (“ASUSTeK”), Asus Computer International, (“Asus”), AT&T Mobility LLC (“AT&T Mobility”), Cellco Partnership, (“Cellco”), Google, Inc., (“Google”), Nokia Corp., (“Nokia”), Nokia Inc. (“Nokia Inc”), Nvidia Corp., (“Nvidia”), Research In Motion Ltd. (“RIM Ltd.”), Research In Motion Corp. (“RIM Corp.”), Sony Ericsson Mobile Communications AB (“Sony Ericsson”), Sony Ericsson Mobile Communications (USA), Inc. (“Sony Ericsson US”), T-Mobile USA, Inc. (“T-Mobile”), Texas Instruments, Inc. (“TI”), Qualcomm, Inc. (“Qualcomm”) and Quicklogic Corp. (“Quicklogic”), subject to the approval of the Court, that:

1. AT&T Mobility, Cellco, Google, Nokia, Nokia Inc., Nvidia, RIM Ltd, RIM Corp., Sony Ericsson, Sony Ericsson US, T-Mobile, TI, Qualcomm and Quicklogic, waive in the above-captioned case, any defenses or objections to personal jurisdiction, any defect in the Summons, and service of the Summons, August 21, 2009 Complaint, and September 18, 2009 Amended Complaint.

2. ASUSTeK and Asus waive any defenses or objections to personal jurisdiction, any defect in the Summons, and service of the Summons and September 18, 2009 Amended Complaint.

3. ASUSTeK, Asus, AT&T Mobility, Cellco, Google, Nokia, Nokia Inc., Nvidia, RIM Ltd, RIM Corp., Sony Ericsson, Sony Ericsson US, T-Mobile, TI, Qualcomm and Quicklogic's time to answer, move against or otherwise respond to the Amended Complaint in this action shall be extended to and including December 18, 2009.

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SO ORDERED, this _____ day of _____, 2009.

Judge